

CHAPTER 55 PRACTICAL NURSING

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5500 GENERAL PROVISIONS

5500.1 This chapter shall apply to applicants for and holders of a license to practice practical nursing.

5500.2 Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures) of this title shall supplement this chapter.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §302(14) of the District of Columbia Health Occupations Revision Act of 1985, D.C. Law 6-99, D.C. Code §2-3303.2(14) (1988 Repl. Vol.), 33 DCR 729, 732 (February 7, 1986), and Mayor's Order 86-110, 33 DCR 5220 (August 22, 1986).

SOURCE: Final Rulemaking published at 36 DCR 632 (January 20, 1989).

5501 TERM OF LICENSE

5501.1 Subject to §5501.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of June 30 of each odd-numbered year.

5501.2 If the Director changes the renewal system pursuant to §4006.3 of chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the license, or other date established by the Director.

SOURCE: Final Rulemaking published at 36 DCR 632 (January 20, 1989).

5502 EDUCATIONAL REQUIREMENTS

5502.1 Except as otherwise provided in this chapter, an applicant for a license shall furnish proof satisfactory to the Board in accordance with §504(m) of the Act, D.C. Code §2-3305.4(m) (1988), of the following:

- (a) That the applicant has successfully completed an educational program in practical nursing approved by the Board or by a nursing board in the United States or U.S. territory with standards determined by the Board to be substantially equivalent to the standards in District; or
- (b) That the applicant is a member of or has been honorably discharged from the United States Army with the rating of clinical specialist after completing the MOS 91C practical nursing program.

5502.2 An applicant for a license by examination shall submit to the Board with the completed application a certified transcript of the applicant's educational record(s).

SOURCE: Final Rulemaking published at 36 DCR 632 (January 20, 1989); as amended by Final Rulemaking published at 37 DCR 2747, 2751 (May 4, 1990).

5503 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

5503.1 The Board may grant a license to practice practical nursing to an applicant who completed an educational program in practical nursing in a foreign country, which program was not approved in accordance with §5502.1, if the applicant meets the following requirements:

- (a) Meets all of the requirements of this chapter except for the educational program approval requirement of §5502.1; and
- (b) Demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this subtitle and the Act, by submitting the documentation required by this section.

5503.2 An applicant under this section shall, in lieu of demonstrating educational program approval under §5502.1, submit one (1) of the following:

- (a) Proof satisfactory to the Board that the applicant has completed an educational program in practical nursing in a foreign country, which program was approved, at the time the applicant completed the program, by the government of that country or by an approval body recognized by that country; or
- (b) A certification from a private education evaluation service approved by the Board that the applicant's foreign education is substantially equivalent to the education provided in an educational program approved pursuant to this chapter.

5503.3 An applicant shall submit proof satisfactory to the Board that the applicant has received a passing score on an English proficiency examination.

5503.4 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit the translation signed by the translator attesting to its accuracy.

SOURCE: Final Rulemaking published at 36 DCR 632, 633 (January 20, 1989).

5504 EXAMINATION

- 5504.1 To qualify for a license by examination, an applicant shall receive a passing score on the National Council Licensure Examination for Practical Nurses (NCLEX-PN) developed by the National Council of State Boards of Nursing, Inc. (NCSBN).
- 5504.2 An applicant who takes the NCLEX-PN shall submit with a completed application the applicant's examination results, certified by NCLEX-PN or NCSB, to the Board.
- 5504.3 The passing score on the NCLEX-PN shall be the passing score established by the NCSBN.
- 5504.4 The Board may waive the examination requirement of §5504.1 for any applicant who is currently licensed or certified as a practical nurse under the laws of a state or territory of the United States and whose licensure was based upon the following:
- (a) A score of three hundred and fifty (350) on each part of the State Board Test Pool Examination for practical nurses taken before September 1982; or
 - (b) A passing score on any other examination determined to be substantially equivalent to the NCLEX-PN.
- 5504.4 An applicant under §5504.4 shall furnish proof of current licensure in good standing.

SOURCE: Final Rulemaking published at 36 DCR 632, 634 (January 20, 1989), as amended by Final Rulemaking published at 37 DCR 2747, 2751 (May 4, 1990).

5505 [RESERVED]**5506 CONTINUING EDUCATION REQUIREMENTS**

- 5506.1 Subject to §5506.2, this section shall apply to applicants for the reactivation, or reinstatement of a license for the term expiring June 30, 1992, and for subsequent terms.
- 5506.2 Pursuant to §512 of the Act, D.C. Code §2-3305.12 (1988), this section shall not apply to applicants who have failed to apply for reinstatement of a license within five (5) years after the license expires.
- 5506.3 Continuing education credit may be granted only for programs or activities approved by the Board pursuant to §5506.
- 5506.4 An applicant in inactive status within the meaning of §511 of the Act, D.C. Code §2-3305.11 (1988), who submits an application to reactivate a license shall submit with

the application proof of having completed twelve (12) hours of continuing education for each year the applicant was in inactive status up to a maximum of twenty-four (24) hours of continuing education. Only continuing education taken in the two (2) years immediately preceding the application date will be accepted. This subsection shall apply to applicants in inactive status after June 30, 1990.

5506.5 An applicant for reinstatement of a license shall submit with the application proof of having completed twelve (12) hours of continuing education for each year after June 30, 1990, that the applicant was not licensed, up to a maximum of twenty-four (24) hours of continuing education.

5506.6 An applicant under this section shall prove completion of required continuing education by submitting with the application the following information with respect to each continuing education program:

- (a) The name and address of the sponsor of the program;
- (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
- (c) The dates on which the applicant attended the program;
- (d) The hours of credit claimed; and
- (e) Verification by the sponsor of completion, by signature or stamp.

SOURCE: Final Rulemaking published at 36 DCR 632, 634 (January 20, 1989).

5507 APPROVAL OF CONTINUING EDUCATION PROGRAMS AND ACTIVITIES

5507.1 The Board may, in its discretion, approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the practice of practical nursing and which meet the other requirements of this section.

5507.2 The Board may approve the following types of continuing education programs, if the programs meet the requirements of §5507.3:

- (a) An undergraduate or graduate course given at an accredited college or university;
- (b) A seminar or workshop;
- (c) An educational program given at a conference; or
- (d) In-service training.

5507.3 To qualify for approval by the Board, a continuing education program shall be as follows:

- (a) Current in its subject matter;
- (b) Developed and taught by qualified individuals; and

- (c) Administered or approved by an organization in the field of health care recognized by the Board or an accredited college or university.

5507.4 The college or university specified in §§5507.2 and 5507.3 shall be accredited by a body recognized by the Secretary of the United States Department of Education or the Council on Postsecondary Accreditation.

5507.5 The Board may issue and update a list of approved continuing education programs.

5507.6 The Board may approve the following continuing education activities by an applicant:

- (a) Service as an instructor or speaker at a conference, seminar, workshop, or in-service training program;
- (b) Publication of a book or a chapter in a book, or publication of a book review, article, or abstract in a professional journal or bulletin; or
- (c) Serving as a preceptor, as defined in chapter 56 of this title, for students of practical nursing.

5507.7 An applicant shall have the burden of verifying whether a program is approved by the Board pursuant to this section.

SOURCE: Final Rulemaking published at 36 DCR 632, 636 (January 20, 1989).

5508 CONTINUING EDUCATION CREDITS

5508.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.

5508.2 For approved undergraduate or graduate courses, each semester hour of credit shall constitute fifteen (15) hours of continuing education credit, and each quarter hour of credit shall constitute ten (10) hours of continuing education credit.

5508.3 The Board may grant credit to an applicant who serves as an instructor or speaker at an approved program for preparation and presentation time, subject to the following restrictions:

- (a) The maximum amount of credit which may be granted for preparation time shall be twice the amount of the associated presentation time;
- (b) If an applicant has previously received credit in connection with a particular presentation, the Board shall not grant credit for a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject; and
- (c) The presentation shall have been completed during the period for which credit is claimed.

5508.4 The Board may grant an applicant who is an author or editor of a published book continuing education credits, if the book has been published or accepted for publication during the period for which credit is claimed and the applicant submits proof of this fact in the application.

- 5508.5 The Board may grant an applicant who is the author of a published book review, article, or abstract continuing education credits, subject to the same restrictions set forth for books in §5508.4.

SOURCE: Final Rulemaking published at 36 DCR 632, 637 (January 20, 1989).

5509 - 5510 [RESERVED]

5511 SUPERVISED PRACTICE OF PRACTICAL NURSING

- 5511.1 Only the following persons shall be authorized to engage in the supervised practice of practical nursing without a District of Columbia license:
- (a) Students fulfilling education requirements under §103(c) of the Act, D.C. Code §2-3301.3 (1988);
 - (b) Applicants who have graduated from a Board approved program under §5502.1 and whose application for a license by examination in the District of Columbia is pending.
- 5511.2 Only a supervisor shall be authorized to supervise the practice of practical nursing.
- 5511.3 A student or applicant may practice practical nursing only in accordance with the Act and this subtitle.
- 5511.4 A student or applicant who practices pursuant to this section shall only practice at a hospital, nursing home, or health facility operated by the District or federal government, a health education center, or other health care facility considered appropriate by the school or college.
- 5511.5 A student or applicant under this section shall not assume administrative or technical responsibility for the operation of a nursing program, unit, service, or institution.
- 5511.6 All supervised practice shall take place under general or immediate supervision.
- 5511.7 A person who has been denied a license or disciplined, or who has such action pending in the District of Columbia or other jurisdiction shall not practice pursuant to this section unless authorized by the Board in writing.
- 5511.8 A student or applicant shall identify himself or herself as such before practicing as a practical nurse.
- 5511.9 A supervisor shall be fully responsible for all practice by a student or graduate during the period of supervision and is subject to disciplinary action for any violation of the Act or this subtitle by the student or applicant.

- 5511.10 A student or applicant shall not receive compensation of any nature, directly or indirectly, from a patient, except for a salary based on hours worked under supervision.
- 5511.11 An applicant under §5511.1(b) shall take the first licensing examination following graduation from an approved educational program in practical nursing or the first examination following submission of the application for a license in the District of Columbia.
- 5511.12 The Board may, in its discretion, grant an extension of the time requirement if the applicant's failure to sit for the first examination was for good cause. For purposes of this section, the term "good cause" includes the following:
- (a) Serious and protracted illness of the applicant; or
 - (b) The death or serious and protracted illness of a member of the applicant's immediate family.
- 5511.13 An applicant under §5511.1(b) who fails the NCLEX-PN on two consecutive attempts shall not be permitted to practice nursing under this section.
- 5511.14 In accordance with chapter 41 of this title, a student or graduate shall be subject to all of the applicable provisions of the Act and this subtitle. The Board may deny an application for a license by, or take other disciplinary action against, a student or graduate who is found to have violated the Act or this subtitle.
- 5511.15 If the Board finds that a student or graduate has violated the Act or this subtitle, the Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the student or graduate to practice.
- 5511.16 For purposes of this section, the following terms shall apply:
- (a) "General supervision" means supervision in which the supervisor is available on the premises and within vocal communication either directly or by a communication device at the time the student or graduate is practicing.
 - (b) "Immediate supervision" means supervision in which the supervisor is with the student or graduate and either discussing or observing the student's or applicant's practice; and
 - (c) "Supervisor" means a practical nurse, registered nurse, or advanced registered nurse licensed under the Act who is responsible for the supervision of a student or graduate.

SOURCE: Final Rulemaking published at 36 DCR 632, 638 (January 20, 1989).

5512 SCOPE OF PRACTICE

- 5512.1 For purposes of this section, the phrase "the practice of practical nursing" means the the following:
- (a) Performance of actions of preventive health care, health maintenance, and the care of persons who are ill, injured, or experiencing alterations in health processes; and

- (b) Knowledge of and skill in nursing procedures gained through successful completion of an approved education program in practical nursing.

5512.2 The functions of a practical nurse shall include, but not be limited to, the following; Provided, that the practical nurse has the appropriate education and that the functions take place in the appropriate clinical setting:

- (a) Assessing vital functions and patient status;
- (b) Administering medication;
- (c) Providing appropriate intervention;
- (d) Monitoring intervenous infusion; and
- (e) Inserting nasogastric tubes.

SOURCE: Final Rulemaking published at 36 DCR 632, 640 (January 20, 1989).

5599 DEFINITIONS

5599.1 As used in this chapter, the following terms have the meanings ascribed:

Applicant - a person applying for a license to practice practical nursing under this chapter.

Board - the Board of Nursing, established by §204 of the Act, D.C. Code §2-3302.4 (1988).

Practical nurse - a person licensed to practice practical nursing under the Act and this chapter.

5599.2 The definitions in §4099 of chapter 40 of this title are incorporated by reference into and are applicable to this chapter.

SOURCE: Final Rulemaking published at 36 DCR 632, 640 (January 20, 1989).